

In re the application of: Kimberly A. Gillis *et al.*

Application No.: 09/997,424 -- 6432

Filed: November 28, 2001

For: Expression Analysis of SMARC Nucleic Acids
And Polypeptides Useful In The Diagnosis And
Treatment of Prostate Cancer

Attorney Docket No.: 102729-16

Group Art Unit: 1642

Examiner: Minh Tam Davis

STATEMENTS UNDER 37 C.F.R § 1.821 and 37 C.F.R § 1.825

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

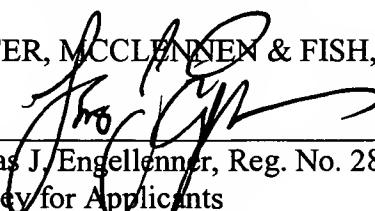
I hereby state that the content of the computer readable Sequence Listing accompanying this Statement is the same as the content of the Sequence Listing submitted in accordance with 37 C.F.R § 1.821(c) and (e), respectively.

Additionally, I hereby state that the content of the amendatory material contained in the Sequence Listing, specifically SEQ ID NOS: 4 and 5, accompanying this Statement is the same material which was incorporated by reference in the originally filed application in accordance with 37 C.F.R. § 1.825. Accordingly, the Amendment to the Sequence Listing contains no new matter.

Dated: April 29, 2004

Respectfully submitted,

NUTTER, MCCLENNEN & FISH, LLP


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